



Attorney Docket No. PHO-113

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

H. Craig DEES et al

Serial No.: 09/635,276

Filed: September 9, 2000

Art Unit: 1635

For: IMPROVED TOPICAL MEDICAMENTS AND  
METHODS FOR PHOTODYNAMIC TREATMENT  
OF DISEASE

I hereby certify that this correspondence  
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Date: March 15, 2002

03/28/2002 DTESSEH1 00000019 09635276

01 FC:126

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Washington, D.C. 20231

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01 FC:126

180.00 CP

Dear Sir:

Pursuant to 37 C.F.R. §1.97, as revised on February 4, 1992, 1135 OG 23-24, Applicant hereby calls the Examiner's attention to documents listed on the attached form, which documents may be material to the examination of this application. A copy of each of the references was submitted to the Patent Office or was cited by the Examiner in the parent application(s), which is(are) being relied upon for an earlier filing date under 35 U.S.C. 120 (35 C.F.R. §1.98(d)).

No inference should be drawn that the attached list sets forth a comprehensive investigation of the prior art, that any or all are pertinent to the invention, or that any apparatus disclosed is equivalent to the subject invention.

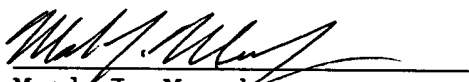
The citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not

possibly be in existence. Citation of any document herein is not to be construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicant also respectfully reserves the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of those documents discussed herein, that may be cited by the Examiner in rejecting a claim in the instant patent application.

A first office action, notice of allowance or issue fee notification has not been received in this case, so applicant does not believe that a fee is due. However, if any such fee is required, please charge our Deposit Account No. 50/1039.

Respectfully submitted,

  
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